

1 Shaw Mortgage Corporation dba Patiosource & The Natural Touch v. Peerless Insurance  
 2 Company; Golden Eagle Insurance Corporation, Liberty Mutual Insurance Company  
 3 37-2007-00084451-CU-BC-CTL

4 **CERTIFICATE OF PROOF OF SERVICE**

5 I am employed in the County of San Diego, State of California. I am over the age  
 6 of 18 and not a party to the within action. My business address is: Berger Kahn, 10085  
 7 Carroll Canyon Road, Suite 210, San Diego, California 92131.

8 On April 21, 2008, I served the foregoing documents described as:

9 **NOTICE OF MOTION AND MOTION TO DISMISS PLAINTIFFS'  
 10 COMPLAINT PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE  
 11 12(b)(6); MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT  
 12 THEREOF; DECLARATION OF DALE A. AMATO**

13 **MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF LIBERTY  
 14 MUTUAL INSURANCE COMPANY'S MOTION TO DISMISS**

15 **DECLARATION OF DALE A. AMATO IN SUPPORT OF MOTION TO DROP  
 16 GOLDEN EAGLE INSURANCE CORPORATION AS A SHAM DEFENDANT**

17 on the interested parties in this action:

18 Vincent J. Bartolotta, Jr., Esq.  
 19 Karen R. Frostrom, Esq.  
 20 THORSNES BARTOLOTTA McGuire  
 21 2550 Fifth Ave., Eleventh Fl.  
 22 San Diego, CA 92103  
 23 Phone: 619-236-9363  
 24 Fax: 619-236-9653  
 25 Attorney for *Shaw Mortgage Corporation*  
 26 dba *Patiosource & The Natural Touch*

27  **BY MAIL**(C.C.P. § 1013(a))—I deposited such envelope(s) for processing in the  
 28 mail room in our offices. I am “readily familiar” with the firm’s practice of  
 collection and processing correspondence for mailing. It is deposited with the  
 U.S. Postal Service on that same day with postage thereon fully prepaid at San  
 Diego, California, in the ordinary course of business. I am aware that on motion  
 of a party served, service is presumed invalid if postal cancellation date or postage  
 meter date is more than one day after the date of deposit for mailing in affidavit.

(Federal) I declare that I am employed in the office of a member of the bar of this  
 Court at whose direction the service was made.

Executed on April 21, 2008, at San Diego, California.

s/Tina Lemay  
 TINA LEMAY